

Message Text

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PAGE 01 STATE 085298
ORIGIN EB-08

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FM SECSTATE WASHDC
TO AMEMBASSY WARSAW PRIORITY

C O N F I D E N T I A L STATE 085298

E.O. 11652: GDS

TAGS: EAIR, PL

SUBJECT:CIVAIR: PAN AM REQUEST FOR REVISED SUMMER
SCHEDULE

REF: WARSAW 2652

1. DEPT. IS CONCERNED OVER GOP RBJECTION OF PAN AM
REQUEST FOR SEVENTH FREQUENCY AND ON-LINE STOPOVER RIGHTS.
WHILE DENIAL OF THESE RIGHTS WILL NOT PREVENT PAN AM FROM
CONTINUING WARSAW SERVICE, THIS ACTION, TAKEN TOGETHER WITH
POLISH BEHAVIOR ON ENTRY OF WIDEBODIED AIRCRAFT, PARTIAL
REJECTION OF PAN AM FARE FILING, SALES QUOTA DEFAULT, ETC.,
AFTER EARLIER DIRECT INDICATIONS TO PAN AM THAT DAILY
SERVICE WOULD BE APPROVED, FURTHER CLOUDS ATMOSPHERE FOR
CONSULTATIONS. USG AGREED TO POSTPONE CONSULTATIONS UNTIL
MAY ON ASSUMPTION GOP HAD AGREED ACCEPT DAILY NARROW-BODIED
SERVICE. WHILE FORMAL RECORD RE DAILY SERVICE IS SOMEWHAT
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PAGE 02 STATE 085298

MURKY (E.G. US 1/12 NOTE REFERRED TO DAILY NARROW-BODIED
SERVICE, WHILE GOP 1/21 REPLY ACCEPTED DAILY 727 SERVICE)
DEPARTMENT BELIEVES THERE ARE GROUNDS FOR PROTEST AND THAT
PROTEST IS DESIRABLE TO PUT POLISH GOVT. ON DEFENSIVE AS
MUCH AS POSSIBLE.

2. EMBASSY REQUESTED TO PROTEST GOP REJECTION OF PAN AM

REQUEST WITH NOTE ALONG FOLLOWING LINES:

BEGIN TEXT:

THE UNITED STATES GOVERNMENT HAS BEEN INFORMED THAT THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC HAS REJECTED THE REQUEST OF THE U.S. DESIGNATED AIRLINE TO OPERATE DAILY NARROW-BODIED SERVICE TO WARSAW THIS SUMMER IN LIEU OF THE THREE WIDE-BODIED FLIGHTS AUTHORIZED BY THE EXCHANGE OF NOTES OF AUGUST 26, 1976.

IT IS THE OPINION OF THE UNITED STATES GOVERNMENT THAT IT ILL BEFITS THE POLISH SIDE TO ALLEGE THAT IT IS UNABLE TO ACCEDE TO THE US AIRLINE'S MODEST REQUEST BECAUSE APPROVAL WOULD REQUIRE AMENDMENT OF THE AIR TRANSPORT AGREEMENT. THE POLISH SIDE HAS FAILED IN SEVERAL PARTICULARS TO LIVE UP TO ITS OBLIGATIONS UNDER THE AGREEMENT. SPECIFICALLY, THE POLISH AIRLINE, LOT, HAS FAILED TO SELL THE SPECIFIED QUOTA OF PAN AM SERVICES OUTSIDE THE UNITED STATES IN THE FIRST YEAR OF THE AGREEMENT; THE POLISH GOVERNMENT HAS FAILED TO FACILITATE THE ENTRY OF WIDE-BODIED AIRCRAFT AS AGREED IN AUGUST 1976; AND, HAS FAILED TO APPROVE THE LEGITIMATE FARES FILED BY THE US AIRLINE. IN ADDITION, THE POLISH GOVERNMENT HAS UNILATERALLY RESTRICTED THE ACCESS OF US CITIZENS TO NON-SCHEDULED FLIGHTS TO AND FROM POLAND CONTRARY TO OUR CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 085298

UNDERSTANDING OF JUNE 18, 1976, THAT CHARTER FLIGHTS WOULD BE FACILITATED. THIS PATTERN OF FAILURE, IN THE UNITED STATES GOVERNMENT'S VIEW, JUSTIFIES THE US DESIGNATED AIRLINE'S REQUEST FOR MODEST CHANGES IN THE SCHEDULES FOR THE SUMMER SEASON PENDING CONSULTATIONS TO RESOLVE THE PROBLEMS OUTLINED ABOVE. IT WAS ONLY WITH THE REASONABLE EXPECTATION THAT THE POLISH SIDE WOULD FAVORABLY CONSIDER THESE REVISED SCHEDULES, BASED ON EARLIER INDICATIONS FROM THE MINISTRY OF FOREIGN AFFAIRS, NOTE DATED JANUARY 21, 1978, THAT THE UNITED STATES GOVERNMENT ACCEPTED THE POLISH GOVERNMENT'S REQUEST TO POSTPONE CONSULTATIONS UNTIL MAY.

THE UNITED STATES GOVERNMENT URGES THAT THE REQUEST OF THE US DESIGNATED AIRLINE BE RECONSIDERED AND APPROVED AS FILED. REFUSAL OF THE REQUEST OF THE US DESIGNATED AIRLINE UNDER THE CIRCUMSTANCES OUTLINED ABOVE CAN ONLY FURTHER CLOUD THE ATMOSPHERE FOR THE UPCOMING CONSULTATIONS AND INCREASE THE POSSIBILITY OF AN UNSATISFACTORY OUTCOME.

END TEXT.

CHRISTOPHER

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NNN

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